

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

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2000 JUN 30 P 3:20

In Re

TROY D. FRANK,  
LISA M. FRANK

Debtors.

A. THOMAS DEWOSKIN, Trustee

Plaintiff,

v.

LISA M. FRANK, Debtor,

Defendant.

Case No. 99-46943-172

Adv. No.

00-4152 -172

**COMPLAINT TO REVOKE  
DISCHARGE OF LISA M. FRANK**

A. Thomas DeWoskin, E.D.Mo. #2953  
Greensfelder, Hemker & Gale, P.C.  
10 South Broadway, Suite 2000  
St. Louis, Missouri 63102-1774  
(314) 241-9090

COMES NOW A. Thomas DeWoskin and for his Complaint to Revoke Discharge of Lisa M. Frank, states:

**General Allegations**

1. Defendant Lisa M. Frank ("Debtor") is a Debtor in this Chapter 7 bankruptcy case.
2. Plaintiff A. Thomas DeWoskin ("Plaintiff" or "Trustee") is the duly appointed, qualified and acting Trustee in this bankruptcy case.
3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, Rules 7001 et seq. of the Federal Rules of Bankruptcy Procedure, and Rule 29 of the Local Rules for this District.
4. This is a core proceeding pursuant to 28 U.S.C. §157 and Rule 7001 FRBP and venue is proper in this Court pursuant to 28 U.S.C. §1409.

**Grounds for Revocation of Discharge**

5. This bankruptcy case was filed on June 28, 1999 and Plaintiff thereafter was appointed Trustee.

6. Plaintiff examined Debtor Troy D. Frank and Debtor-Defendant Lisa M. Frank under oath at their Section 341 Meeting on August 3, 1999

7. After concluding his examination, Plaintiff concluded that there were no assets reasonably available for creditors and filed a Report of No Distribution.

8. This Court subsequently granted Debtors a discharge pursuant to 11 U.S.C. §727.

9. In May, 2000, Plaintiff was advised that Defendant Lisa M. Frank may have filed false Schedules and Statement of Affairs with this Court in that:

- a) Defendant failed to schedule or otherwise disclose her transfer of \$11,667.00 to her boyfriend, Michael Dane, four days before the commencement of this case; and
- b) Defendant failed to schedule or otherwise disclose her ownership of a 1988 Mercury automobile as of the commencement of this case.

10. Defendant's failure to disclose the above information constitutes fraud on Plaintiff and Defendant's creditors.

11. Defendant's bankruptcy discharge is subject to revocation for fraud under 11 U.S.C. §727(e)(1).

WHEREFORE, Plaintiff prays for an Order of this Court revoking the bankruptcy discharge previously granted to Defendant Lisa M. Frank, and granting such other and further relief as it may deem proper.



A. Thomas DeWoskin, Trustee E.D.Mo. #2953  
10 South Broadway, Suite 2000  
St. Louis, Missouri 63102-1774  
Telephone: (314) 241-9090  
Facsimile: (314) 241-4245

**ADVERSARY PROCEEDING COVER SHEET**  
(Instructions on Reverse)ADVERSARY PROCEEDING NUMBER  
(Court Use Only)

RECEIVED &amp; FILED

**PLAINTIFFS**

A. Thomas Dewoskin, Trustee  
Greensfelder, Hemker & Gale, P.C.  
10 South Broadway, Suite 2000  
St. Louis, MO 63102-1774  
(314)241-9090

**DEFENDANTS**

Lisa M. Frank

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2000 JUN 30 P 3:20

CLERK, US BANKRUPTCY CT  
EASTERN DISTRICT  
ST. LOUIS, MO 63105

00-4152-172

**ATTORNEYS (Firm Name, Address, and Telephone No.)**

None

**ATTORNEYS (If Known)**

Barry L. Gubin, Esq.  
7711 Cardondelet-Suite 400  
St. Louis, MO 63105

**PARTY** (Check one box only) ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 U.S. NOT A PARTY**CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)**

Complaint to Revoke Discharge of Lisa M. Frank

**NATURE OF SUIT**

(Check the one most appropriate box only.)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> 454 To Recover Money or Property   | <input type="checkbox"/> 455 To revoke an order of confirmation of a Chap. 11, Chap. 12, or Chap. 13 Plan                       | <input type="checkbox"/> 456 To obtain a declaratory judgment relating to any of foregoing causes of action |
| <input type="checkbox"/> 435 To Determine Validity, Priority, or Extent of a Lien or Other Interest in Property               | <input type="checkbox"/> 426 To determine the dischargeability of a debt 11 U.S.C. §523   |   |
| <input type="checkbox"/> 458 To obtain approval for the sale of both the interest of the estate and of a co-owner in property | <input type="checkbox"/> 434 To obtain an injunction or other equitable relief  | <input type="checkbox"/> 459 To determine a claim or cause of action removed to a bankruptcy court          |
| <input checked="" type="checkbox"/> 424 To object or to revoke a discharge 11 U.S.C. §727                                     | <input type="checkbox"/> 457 To subordinate any allowed claim or interest except where such subordination is provided in a plan | <input type="checkbox"/> 498 Other (specify)  |

**ORIGIN OF PROCEEDINGS**

(Check one box only.)

☒ 1 Original Proceeding☐ 2 Removed Proceeding☐ 4 Reinstated or Reopened☐ 5 Transferred from Another Bankruptcy Court☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23**DEMAND**NEAREST THOUSAND  
\$OTHER RELIEF SOUGHT  
Revoke Discharge☐ JURY DEMAND**BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES**NAME OF DEBTOR  
Troy and Lisa FrankBANKRUPTCY CASE NO.  
99-46943-172DISTRICT IN WHICH CASE IS PENDING  
Eastern DistrictDIVISIONAL OFFICE  
Eastern DivisionNAME OF JUDGE  
James Barta**RELATED ADVERSARY PROCEEDING (IF ANY)**

PLAINTIFF

DEFENDANT

ADVERSARY PROCEEDING NO.

DISTRICT

DIVISIONAL OFFICE

NAME OF JUDGE

**FILING FEE**

(Check one box only.)

☐ FEE ATTACHED☐ FEE NOT REQUIRED☐ FEE IS DEFERRED

DATE 6/29/00

PRINT NAME  
A. Thomas Dewoskin

SIGNATURE OF ATTORNEY (OR PLAINTIFF)

